DOCUMENT RESUME

ED 283 595 PS 016 546

TITLE	Guide to the Interstate Compact on the Placement of Children.
INSTITUTION	American Public Welfare Association, Washington, D.C.
SPONS AGENCY	Children's Bureau (DHHS/OHS), Washington, DC.
PUB DATE	Jun 85
NOTE	16p.; Prepared by the Secretariat to the Association of Administrators of the Interstate Compact on the Placement of Women.
PUB TYPE	Guides - Non-Classroom Use (055)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Administration; *Adoption; *Foster Care; *Placement; Records (Forms); *Responsibility; *State Legislation
IDENTIFIERS	*Interstate Compact on the Placement of Children

ABSTRACT

This booklet describes aspects of the Interstate Compact on the Placement of Children, a uniform law establishing orderly procedures for the interstate placement of children and fixing responsibilities for those involved in placing a child. The law has been enacted by almost all of the states and jurisdictions of the United States. Contents focus on such issues as (1) why a Compact is needed; (2) how the Compact came about; (3) what the Compact does, including types of placements covered, who must use the Compact, and safeguards offered by the Compact; (4) procedures for making placement under the terms of the Compact, including administering the Compact, recognizing a placement covered by the Compact, processing referrals for interstate placements, recommended time needed to process requests, making arrangements for child placement, and the sending agency's responsibilities; (5) penalties for illegal placements; (6) related Compacts regulating interstate placement of children; and (7) sources of additional information. The text of the Compact, and examples of forms ICPC-100A, the Interstate Compact Placement Request, and ICPC-100B, the Interstate Compact Report on Child's Placement Status, are provided. (RH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

PS

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

GUIDE TO THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

ED283595

PS 016546

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY
Betsey R. Rosenbaum

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

BEST COPY AVAILABLE

Guide to the Interstate Compact on the Placement of Children

Prepared By:

The Secretariat to the Association of Administrators of the Interstate Compact on the Placement of Children

An Affiliate of the
American Public Welfare Association
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

This publication was originally developed under a grant from the Department of Health and Human Services, Office of Human Development Services, Administration for Children, Youth, and Families, Children's Bureau.

Revised June 1985

The Interstate Compact on the Placement of Children is the best means we have to ensure protection and services to children who are placed across state lines for foster care or adoption. The Compact, a uniform law that has been enacted by almost all the states and jurisdictions of the United States, establishes orderly procedures for the interstate placement of children and fixes responsibilities for those involved in placing the child.

WHY A COMPACT IS NEEDED

Children placed out of state need to be assured of the same protections and services that would be provided if they remained in their home states. They must also be assured of a return to their original jurisdictions should placements prove not to be in their best interests or should the need for out-of-state services cease.

Both the great variety of circumstances which makes interstate placement of children necessary and the types of protections needed offer compelling reasons for a mechanism which regulates those placements. An interstate compact—a contract among the states that enact it—is one such mechanism. Under a compact, the jurisdictional, administrative, and human rights obligations of all the parties involved in an interstate placement can be protected.

HOW THE COMPACT CAME ABOUT

The need for a compact to regulate the interstate movement of children was recognized in the 1950s. At that time, a group of East Coast social service administrators joined informally to study the problems of children moved out of state for foster care or adoption. Among the problems they identified was the failure of importation and exportation statutes enacted by individual states to provide protection for children. They recognized that a state's jurisdiction ends at its borders and that a state can only compel an out-of-state agency or individual to discharge its obligations toward a child through a compact. The administrators were also concerned that a state to which a child was sent did not have to provide supportive services even though it might agree to do so on a courtesy basis.

In response to these and other problems, the Interstate Compact on the Placement of Children was drafted, and in 1960 New York was the first state to enact it.

WHAT THE COMPACT DOES

The Compact law contains ten articles. They define the types of placements and placers subject to the law; the procedures to be followed in making an interstate placement; and the specific protections, services, and requirements brought by enactment of the law.

The major provisions of the law are highlighted below and the complete text of the law appears at the end of this booklet.

Types of Placements Covered

The Compact applies to four types of situations in which children may be sent to other states:

- Placement preliminary to an adoption.
- Placements into foster care, including foster homes, group homes, residential treatment facilities, and institutions.
- Placements with parents and relatives when a parent or relative is not making the placement.
- Placements of adjudicated delinquents in institutions in other states.

Who Must Use the Compact?

The Compact clearly spells out who must use the Compact when they "send, bring, or cause a child to be brought or sent" to another party state. These persons and agencies, called "sending agencies," are the following:

- A state party to the Compact, or any officer or employee of a party state.
- A subdivision, such as a county or a city, or any officer or employee of the subdivision.
- A court of a party state.
- Any person (including parents and relatives in some instances), corporation, association, or charitable agency of a party state.

Not all placements of children in other states are subject to the Compact, nor are all persons who place children out of state. The Compact does not include placements made in medical and mental health facilities or in boarding schools. Article VIII (a) also specifically excludes from Compact coverage the placement of a child made by a parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or the child's nonagency guardian. This exclusion, however, applies *only* when one of these close relatives places the child with another close relative.

Safeguards Offered by the Compact

In order to safeguard both the child and the parties involved in the child's placement, the Interstate Compact:

- Provides the sending agency the opportunity to obtain home studies and an evaluation of the proposed placement.
- Allows the prospective receiving state to ensure that the placement is not "contrary to the interests of the child" and that its applicable laws and policies have been followed before it approves the placement.
- Guarantees the child legal and financial protection by fixing these responsibilities

with the sending agency or individual.

- Ensures that the sending agency or individual does not lose jurisdiction over the child once the child moves to the receiving state.
- Provides the sending agency the opportunity to obtain supervision and regular reports on the child's adjustment and progress in the placement.

These safeguards are routinely available when the child, the person, or responsible agency and the placement are all in a single state or jurisdiction. When the placement involves two states or jurisdictions, however, these safeguards are available only through the Compact.

PROCEDURES FOR MAKING COMPACT PLACEMENTS

When a state enacts the Compact, it becomes law, just as any other legislation passed by a state legislature. Under the terms of the law, the state agrees to follow uniform procedures when it makes or accepts interstate placements of children.

Administering the Compact

Each state appoints a Compact Administrator and one or more Deputy Administrators who oversee or perform the day-to-day tasks associated with the administration of the Compact. In every state, the Compact office and personnel are located in an office that is part of the department of public welfare or the state's equivalent agency.

The Compact Administrator is designated to serve as the central clearing point for all referrals for interstate placements. The Administrator and his/her deputies are authorized to conduct the necessary investigation of the proposed placement and to determine whether or not the placement is contrary to the child's interests.

After the placement is approved and the child is moved into the state, the Compact Administrator is responsible for overseeing the placement as long as it continues.

NOTE: Throughout this booklet, the term "Compact Administrator" is used to designate both the person appointed pursuant to Article VII and those persons to whom the responsibility for day-to-day operation of the Compact has been administratively designated.

Recognizing a Placement Covered by the Compact

Although the Compact law is short, it may be confusing to persons unfamiliar with it. If you are considering placing a child into another state, the placement may be subject to the Compact in the following general circumstances:

- If the state in which you (or your agency) reside and the state to which the child is to

be sent (or from which the child is to be brought) are both party to the Compact; *and*

- If you are not related to the child (or not the child's nonagency guardian) or, if you are related, and you are sending the child to live with someone other than a close relative or nonagency guardian named in Article VIII(a) of the Compact; *and*
- If you are sending, bringing, or *causing* the child to be brought or sent into a party state, whether or not you have custody of the child, and without regard to the present location of the child (the child could even be in a foreign country); *and*
- If you are placing the child with someone or some agency *other than* a medical facility, a boarding school, or a mental health or mental retardation facility.

If the circumstances of the proposed placement fit into those described above, you should contact your state's Compact office for further information.

Processing Referrals for Interstate Placements

When an interstate placement is being considered, the Compact requires that the prospective sending agency submit a written notice of the proposed placement to the Compact Administrator in the receiving state. Almost all party states further require that this notice be submitted to the sending state Compact Administrator, who then forwards it to the prospective receiving state.

This written notice is made on form ICPC-100A, "Interstate Compact Placement Request" (see page 9), available from all party states. A social history of the child must also be prepared, and both the completed ICPC-100A and the child's social history are forwarded to the prospective receiving state's Compact Administrator.

Upon receiving notice of the proposed placement the Compact Administrator will forward the documents to an appropriate party in the receiving state for further action. The "appropriate party" will usually be a local public or private child welfare agency or the residential facility which is being asked to accept the child. The "action" needed on any particular request will vary depending upon the nature of the proposed placement, and may include a study of a prospective adoptive or foster family or a review by the facility to determine whether or not its program will meet the child's needs.

After the local agency has completed the necessary work, it prepares a report which includes a recommendation on whether or not the placement should be made. This information is returned to the Compact Administrator in the receiving state for review. If the local agency's recommendation is favorable and the Compact Administrator determines that all requirements of the receiving state's laws have been met, the placement will be approved. If, however, the local agency recommends against the placement or the Compact Administrator determines that the placement cannot lawfully be completed, the placement will be denied unless the problems can be remedied. In either case, the Compact Administrator notifies the sending state's Compact office and forwards copies both to the sending agency and the prospective receiving party.

Recommended Time Needed to Process Requests

Six weeks—30 working days—is the maximum recommended processing time from the date the receiving state Compact office receives the notice of the proposed placement until the date that the placement is approved or denied. At times, referrals may take longer to process because of other work demands placed upon the local agency in the receiving state or upon the Compact office. Whenever emergencies arise, however, Compact Administrators will give special consideration to requests and respond by the fastest means of communication.

Making Arrangements for Child Placement

When the request to place a child has been approved by the receiving state, the sending agency and receiving parties work together to arrange the details of the actual placement. Final agreements (discussed at the time of referral) are entered into regarding payment for the child's care, the type of monitoring of the placement, and the frequency of supervisory reports to be provided to the sending agency.

After all plans and agreements have been completed, the child is moved to the receiving state. The sending agency notifies the receiving state of the placement by using form ICPC-100B, "Interstate Compact Report: Child Placement Status" (see page 10).

The Sending Agency's Responsibilities

While the child remains in the out-of-state placement, the sending agency retains legal and financial responsibility for the child. This means that the sending agency has both the authority and the responsibility to determine all matters in relation to the custody, supervision, care, treatment, and disposition of the child, just as the sending agency would have if the child had remained in the home state.

The sending agency's responsibilities for the child continue until it legally terminates the interstate placement. It may terminate the placement by returning the child to the home state, or the placement may be terminated with the child left in the receiving state when the child is legally adopted, becomes self-supporting, or reaches majority, or for other reasons with the prior concurrence of the receiving state.

The sending agency must notify the receiving state's Compact Administrator of any change in the child's status, again using form ICPC-100B. Changes of status may include a termination of the interstate placement or such things as a new placement of the child in the receiving state or a transfer of legal custody.

PENALTIES FOR ILLEGAL PLACEMENTS

Interstate placements made in violation of the law constitute a violation of the "laws respecting the placement of children of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving state"

(Article IV). Violators are subject to punishment or penalties in both jurisdictions in accordance with their laws. Imposition of penalties has been rare, but since 1980 there have been several cases in which children placed illegally were ordered returned to the sending state.

RELATED COMPACTS

Two other compacts regulate certain types of interstate placements of children.

The Interstate Compact on Juveniles permits interstate supervision of adjudicated delinquents on probation or parole and provides for the placement of certain juvenile delinquents in out-of-state public institutions. This Compact also authorizes the return of juvenile escapees and absconders to their home states, and is used to arrange the return of nondelinquent runaways to their homes. All 50 states and other jurisdictions except for Puerto Rico and the Virgin Islands, have enacted this Compact.

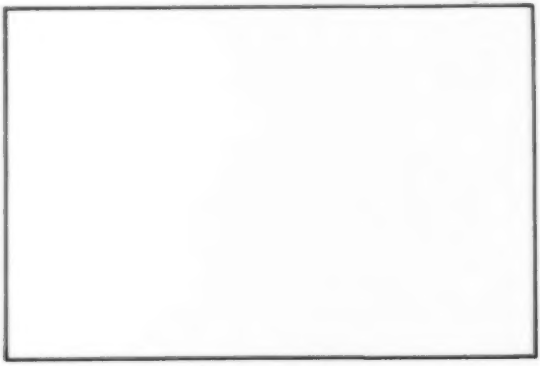
The Interstate Compact on Mental Health permits the transfer of mentally ill and mentally retarded children and adults from a public institution in one state to a public institution in another state. It may also be used to secure publicly provided aftercare services in another state. A patient transferred through this Compact becomes the full responsibility of the receiving state. The Interstate Compact on Mental Health has been enacted by most states and jurisdictions.

ADDITIONAL INFORMATION

The text of the Compact, and examples of forms ICPC-100A and ICPC-100B are presented at the end of this booklet.

Information about a specific state's procedures, requirements, and application of the Interstate Compact on the Placement of Children may be obtained from the Compact Administrator or Deputy in the state.

For more information on the Compact contact:



ICPC-100A
REV April 1985

INTERSTATE COMPACT PLACEMENT REQUEST

TO: (Name and Address of Compact Administrator in Receiving State)	FROM: (Name and Address of Compact Administrator in Sending State)

SECTION I — IDENTIFYING DATA

Notice is given of intent to place: NAME OF CHILD	SEX	DATE OF BIRTH	ETHNIC GROUP
NAME OF MOTHER	NAME OF FATHER		
NAME OF AGENCY OR PERSON RESPONSIBLE FOR PLANNING FOR CHILD		TELEPHONE NO.	
ADDRESS			
NAME OF AGENCY OR PERSON FINANCIALLY RESPONSIBLE FOR CHILD		TELEPHONE NO.	
ADDRESS			

SECTION II — PLACEMENT INFORMATION

NAME OF PERSON(S) OR FACILITY CHILD IS TO BE PLACED WITH	TELEPHONE NO.
ADDRESS	

TYPE OF CARE

- ☐ Foster Family Care
- ☐ Group Home Care
- ☐ Residential Treatment Center
- ☐ Child-caring Institution
- ☐ Institutional Care Article (VI)
- ☐ Parent
- ☐ Relative (Not Parent) Relationship: _____
- ☐ Other: _____
- ☐ Adoption
  - ☐ Subsidy/IV-E Assistance To be completed in:
    - ☐ Sending State
    - ☐ Receiving State

LEGAL STATUS

- ☐ Sending Agency Custody/Guardianship
- ☐ Parent Relative Custody/Guardianship
- ☐ Court Jurisdiction Only
- ☐ Parental Rights Terminated-Right to Place for Adoption
- ☐ Unaccompanied Refugee Minor
- ☐ Other: _____

SECTION III — SERVICES REQUESTED

Initial Report (if applicable):	Supervisory Services:	Supervisory Reports:
☐ Parent Home Study	☐ Request Receiving State to Arrange Supervision	☐ Quarterly
☐ Relative Home Study	☐ Another Agency Agreed to Supervise	☐ Semi-Annually
☐ Adoptive Home Study	☐ Sending Agency to Supervise	☐ Upon Request
☐ Foster Home Study		☐ Other: _____

NAME AND ADDRESS OF SUPERVISING AGENCY IN RECEIVING STATE

ENCLOSED

- ☐ Child's Social History
- ☐ Home Study of Placement Resource
- ☐ Court Order
- ☐ Other Enclosures

SIGNATURE OF SENDING AGENCY OR PERSON	DATE SIGNED
SIGNATURE OF SENDING STATE COMPACT ADMINISTRATOR OR ALTERNATE	DATE SIGNED

SECTION IV — ACTION BY RECEIVING STATE

☐ Placement May be Made ☐ Placement Shall Not Be Made	REMARKS
SIGNATURE OF RECEIVING STATE COMPACT ADMINISTRATOR OR ALTERNATE	DATE SIGNED

DISTRIBUTION

Complete six (6) copies of this form

- Sending Agency retains 1 copy and forwards 5 copies to:
- Sending Compact Administrator retains 1 copy and forwards 4 copies to:
- Receiving Agency Compact Administrator indicates action (Section IV) and forwards 1 copy to receiving agency and 2 copies to sending Compact Administrator within 30 days.
- Sending Compact Administrator retains 1 completed copy and forwards the other completed copy to the Sending Agency.

10

ICPC - 100 B
Rev. April 1984

INTERSTATE COMPACT REPORT ON CHILD'S PLACEMENT STATUS

TO: (Name and Address of Compact Administrator)	FROM: (Name and Address of Reporting ICPC Admin.)

IDENTIFYING INFORMATION

Child's Name: Birthdate:

Mother's Name: Father's Name:

Name of Placement Resource:

PLACEMENT STATUS

☐ Placement Request Withdrawn: Date:

☐ Initial Placement With: Date:

Name:

Address:

Type of Care:

☐ Placement Change: Date:

☐ Name:

☐ Address:

☐ Type of Care:

COMPACT TERMINATION

Reason:

☐ Adoption Finalized ☐ In Sending State ☐ In Receiving State

☐ Child Reached Majority/Legally Emancipated

☐ Legal Custody and/or Guardianship Awarded and/or Returned to:

Name: Relationship:

☐ Treatment Completed

☐ Sending State's Jurisdiction Terminated ☐ Unilaterally

☐ Child Returned to Sending State

☐ Approved Resource Will Not Be Used For Placement

☐ Other (Specify):

Date of Termination:	
SIGNATURES:	DATE SIGNED:
Person/Agency Supplying Information:	
Reporting Compact Administrator or Alternate:	

Complete four (4) copies of this form.
Sending agency retains one (1) copy and forward three (3) copies to:
Sending Compact Administrator retains one (1) copy and forwards two (2) copies to:
Receiving Compact Administrator retains one (1) copy, forwards one (1) copy to the receiving agency.

TEXT OF INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

ARTICLE I. Purpose and Policy

It is the purpose and policy of the party states to cooperate with each other in the interstate placement of children to the end that:

(a) Each child requiring placement shall receive the maximum opportunity to be placed in a suitable environment and with persons or institutions having appropriate qualifications and facilities to provide a necessary and desirable degree and type of care.

(b) The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.

(c) The proper authorities of the state from which the placement is made may obtain the most complete information on the basis of which to evaluate a projected placement before it is made.

(d) Appropriate jurisdictional arrangements for the care of children will be promoted.

ARTICLE II. Definitions

As used in this compact:

(a) "Child" means a person who, by reason of minority, is legally subject to parental, guardianship or similar control.

(b) "Sending agency" means a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings, or causes to be sent or brought any child to another party state.

(c) "Receiving state" means the state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.

(d) "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution but does not include any institution caring for the mentally ill, mentally defective or epileptic or any institution primarily educational in character, and any hospital or other medical facility.

ARTICLE III. Conditions for Placement

(a) No sending agency shall send, bring, or cause to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption unless the sending agency shall comply with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein.

(b) Prior to sending, bringing or causing any child to be sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intention to send, bring, or place the child in the receiving state. The notice shall contain:

(1) The name, date and place of birth of the child.

(2) The identity and address or addresses of the parents or legal guardian.

(3) The name and address of the person, agency or institution to or with which the sending agency proposes to send, bring, or place the child.

(4) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made

(c) Any public officer or agency in a receiving state which is in receipt of a notice pursuant to paragraph (b) of this article may request of the sending agency, or any other appropriate officer or agency of or in the sending agency's state, and shall be entitled to receive therefrom, such supporting or additional information as it may deem necessary under the circumstances to carry out the purpose and policy of this compact.

(d) The child shall not be sent, brought, or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.

ARTICLE IV. Penalty for Illegal Placement

The sending, bringing, or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact shall constitute a violation of the laws respecting the placement of

children of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving state. Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation shall constitute full and sufficient grounds for the suspension or revocation of any license, permit, or other legal authorization held by the sending agency which empowers or allows it to place, or care for children.

ARTICLE V. Retention of Jurisdiction

(a) The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care, treatment and disposition of the child which it would have had if the child had remained in the sending agency's state, until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement. Nothing contained herein shall defeat a claim of jurisdiction by a receiving state sufficient to deal with an act of delinquency or crime committed therein.

(b) When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for the sending agency.

(c) Nothing in this compact shall be construed to prevent a private charitable agency authorized to place children in the receiving state from performing services or acting as agent in that state for a private charitable agency of the sending state; nor to prevent the agency in the receiving state from discharging financial responsibility for the support and maintenance of a child who has been placed on behalf of the sending agency without relieving the responsibility set forth in paragraph (a) hereof.

ARTICLE VI. Institutional Care of Delinquent Children

A child adjudicated delinquent may be placed in an institution in

another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard, prior to his being sent to such other party jurisdiction for institutional care and the court finds that:

1. Equivalent facilities for the child are not available in the sending agency's jurisdiction; and

2. Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.

ARTICLE VII. Compact Administrator

The executive head of each jurisdiction party to this compact shall designate an officer who shall be general coordinator of activities under this compact in his jurisdiction and who, acting jointly with like officers of other party jurisdictions, shall have power to promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE VIII. Limitations

This compact shall not apply to:

(a) The sending or bringing of a child into a receiving state by his parent, step-parent, grandparent, adult brother or sister, adult uncle or aunt, or his guardian and leaving the child with any such relative or non-agency guardian in the receiving state.

(b) Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between said states which has the force of law.

ARTICLE IX. Enactment and Withdrawal

This compact shall be open to joinder by any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and, with the consent of Congress, the Government of Canada or any province thereof. It shall become effective with respect to any such jurisdiction when such jurisdiction

has enacted the same into law. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until two years after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other party jurisdiction. Withdrawal of a party state shall not affect the rights, duties and obligations under this compact of any sending agency therein with respect to a placement made prior to the effective date of withdrawal.

ARTICLE X. Construction and Severability

The provisions of this compact shall be liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.